

Attorney Docket: 1215.016PCT.US**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Mixed-Use Pedestrian-Oriented Parking Structure

the specification of which

X _____ is attached hereto.
_____ was filed on _____ as Application Serial No. _____ and was
amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) Priority Claimed

<u>PCT/US2003/039804</u> (Number)	<u>15/12/2003</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<u>60/432,709</u> (Number)	<u>United States</u> (Country)	<u>13/12/2002</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35, United States Code §119(e) of any United States provisional application(s) listed below.

<u>(Application Serial No.)</u>	<u>(Filing Date)</u> (dd/mm/yy)	<u>(Status)</u>
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I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Serial No.)

(Filing Date)
(dd/mm/yy)

(Status)
(patented, pending, abandoned)

I hereby appoint the following patent attorney and agent to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Melvin K. Silverman, Reg. No. 26,234
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole
or first inventor: Thomas F. Gustafson

Inventor's Signature

Date: _____ Citizenship: _____ United States

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Certificate of Transmission

I hereby certify that, on the date shown below, this correspondence is being facsimile transmitted to the WIPO,
at (41-22) 740.14.35

Marcia Scruggs

Typed or printed name of person signing this certificate

Signature M. Scruggs

Date

2/14/05

**UNDER THE PATENT COOPERATION TREATY
BEFORE THE INTERNATIONAL SEARCHING AUTHORITY**

INTERNATIONAL APPLICATION NO.: PCT/US03/39804

APPLICANT: Gustafson

INTERNATIONAL FILING DATE: 15.12.03

EARLIEST PRIORITY DATE: 13.12.02

TITLE: MIXED USE PEDESTRIAN-ORIENTED PARKING STRUCTURE

STATEMENT UNDER ARTICLE 19(1)

The associated Amendment sets forth the invention in terms which better define over Category X document U.S.1,830,518A (Mason). More particularly, the structure of Mason does not teach a parking structure having a central solid rectangular atrium 228 within at least one of its parking units. That is, the structure of Mason does not teach the use of atriums. (See Applicant's Figs. 1 and 2), nor does it teach multi-level parking units having one-directional parking access aisles. As may be noted in Figs. 9-14 of Mason, that structure contemplates a bowl-like or terraced relationship between successive levels thereof, this in distinction to Applicant's structure which employs a narrow solid rectangular atrium 228 at the center of its units. Further, Mason teaches

two directional parking access aisles meaning that parking occurs transversely or normal to the direction of travel of vehicles within the parking structure. In distinction, the Applicant's single direction access aisles requires that internal parking (see Fig. 1 of Drawings) be either angled or parallel relative to the direction of travel. Also, the one-directional nature of Applicant's structure requires that a user enter at point 213 of first unit 200 and, to exit, use a second floor cross-over to 204 to reach parking unit 202, and to exit therefrom at point 217 (see Figs. 2 and 3). Further, Applicant's structure reserves second floor cross-over 204 for mixed use, unlike Mason. Finally, the structure of Mason is not designed, nor does it address, a pedestrian walking environment therein.

Respectfully submitted,
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